



PATENT  
Customer No. 22,852  
Attorney Docket No. 07883.0097-02

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

Katherine S. TWEDEN et al.

Application No.: 10/639,614

Filed: August 11, 2003

For: HEALING TRANSMYOCARDIAL  
IMPLANT

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Group Art Unit: 3738  
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Examiner: PELLEGRINO, BRIAN E  
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Confirmation No.: 5399  
)  
)

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the Examiner's decision mailed May 4, 2006. An appeal is proper because certain claims in this application have been twice rejected, for example, via Office Actions mailed May 4, 2006 and October 6, 2005.

A Petition for Extension of Time - Three Months and \$510.00 small-entity extension fee is enclosed to extend the period for response to November 4, 2006.

A small-entity appeal fee of \$250.00 is also enclosed.

A check for \$760.00 to cover the \$510.00 extension fee and \$250.00 appeal fee is enclosed.

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Application No. 10/639,614  
Attorney Docket No. 07883.0097-02  
Notice of Appeal - November 2, 2006

Please grant any extensions of time required to enter this Notice of Appeal and  
charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

Michael W. Kim  
Reg. No. 51,880

Dated: November 2, 2006